

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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John Galloway, <i>et. al.</i> ,	:	
	:	INDEX NO. 1:07-cv-06435 (LTS)
Plaintiffs,	:	
	:	PLAINTIFFS' MOTION TO STAY
-against-	:	PROCEEDINGS PENDING A DECISION
	:	BY THE JUDICIAL PANEL ON
Apartment Investment and Management	:	MULTIDISTRICT LITIGATION
Company, <i>et. al.</i> ,	:	
	:	
Defendant.	:	
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On November 15, 2007, Plaintiffs filed a motion with the Judicial Panel on Multidistrict Litigation (the "MDL Panel"). That motion requests the transfer of this matter, and twenty-one other actions raising similar allegations, to the United States District Court for the District of Columbia for consolidated or coordinated pretrial proceedings pursuant to 28 U.S.C. § 1407. Plaintiffs respectfully request that the Court temporarily stay proceedings pending the MDL Panel's ruling on that motion.

As more fully set forth in the accompanying memorandum of points and authorities, this Court has the inherent power to stay proceedings. Exercise of that power is appropriate if: (i) the movant would suffer hardship without a stay; (ii) the stay would not prejudice the non-movant; and (iii) the stay would serve the interests of judicial economy and efficiency. Here these factors justify a stay. A stay will allow Plaintiffs to avoid the substantial burden of having to simultaneously litigate multiple actions in multiple courts, but would not cause any significant prejudice to Defendants. Moreover, a stay would preserve limited judicial resources by avoiding unnecessary duplication of actions by this Court and the court to which the MDL Panel may transfer this action.

WHEREFORE, Plaintiffs move the Court for an order temporarily staying proceedings pending the Panel's ruling on Plaintiffs' motion for transfer pursuant to 28 U.S.C. § 1407.

Dated: December 17, 2007

Respectfully submitted,

s/Llezzlie L. Green

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 17h day of December, 2007, I caused a true and accurate copy of the Plaintiffs' Motion to Stay Proceedings Pending A Decision By The Judicial Panel on Multidistrict Litigation to be served via electronic filing upon:

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Date: December 17, 2007

s/Llezzlie L. Green
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